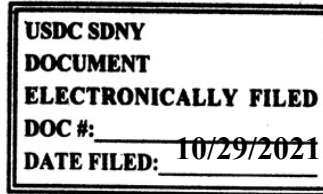




4242 MERRICK ROAD, MASSAPEQUA, NEW YORK 11758

NEIL H. GREENBERG, ESQ.

JUSTIN M. REILLY, ESQ.  
KEITH E. WILLIAMS, ESQ.



PARALEGALS

ROSA COSCIA  
CATALINA ROMAN

**Via: ECF**

**October 28, 2021**

Honorable Judge Katharine H. Parker  
United States Magistrate Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**MEMO ENDORSED**

**Re: *Dominguez, et al. v. Metropolitan Wireless Anandpur Inc., et al.*  
21-CV-2240 (PAE)(KHP)**

Dear Honorable Judge Parker:

My office represents Plaintiffs, Jayleen Dominguez and Yaneiris Fernandez, in the above-referenced action. On August 12, 2021, Plaintiffs filed a Motion for Default Judgment as a result of Defendants' failure to appear in this case. [D.E. 28-30]. On August 16, 2021, Honorable Judge Paul A. Engelmayer Ordered Defendants to appear and show cause as to why a default judgment is not warranted by September 10, 2021, and further directed Plaintiffs to serve His Honor's Order, and the papers in support of Plaintiffs' Motion for Default Judgment on Defendants, and to file proof of service, no later than August 20, 2021. [D.E. 31]. Plaintiffs' filed proof of service later that day. [D.E. 32, 33]. On September 29, 2021 Judge Engelmayer referred Plaintiffs' Motion for Default Judgment to Your Honor for an inquest on damages. [D.E. 34]. Later that day, Your Honor issued an Inquest Order that, in part, scheduled an Inquest Hearing for December 29, 2021 and directed Plaintiffs to supplement their motion with any additional information they may have. [D.E. 35].

Pursuant to Your Honor's Individual Rules, kindly accept this correspondence as Plaintiffs' request to adjourn the Inquest Hearing and as a Status Report relating to the Court's Inquest Order.

Plaintiffs respectfully request that the Court adjourn the December 29, 2021 Inquest Hearing to a date in late-January. The reason for this request is because Ms. Dominguez and Plaintiffs' counsel will be unavailable on the currently scheduled date. Ms. Dominguez will be visiting family out-of-state until mid-January and the undersigned has a family vacation planned for the last week of December. Counsel and Plaintiffs are available any day from January 19 through 31, 2022. Availability in February can be provided upon request.

Second, in the Court's Inquest Order, Your Honor directed Plaintiffs to file any supplemental papers to support their claim for damages. In their opening motion papers, Plaintiffs submitted a detailed Memorandum of Law in Support of their Motion for Default Judgment, which sets forth both the factual basis of their claims as well as the legal authority supporting Defendants' liability and Plaintiffs' damages. Each element of each claim is briefed and supported by admissible evidence. To wit, Plaintiffs submitted sworn Declarations attesting to, *inter alia*, their employment dates, hours worked, wages received, and Defendants failure to pay them properly under the law. In their brief, Plaintiffs' cite to their Declarations to support the underlying facts, and they provide pinpoint citations to all legal authorities which support their claims. Thus, Plaintiffs do not possess supplemental information or documentation to submit in further support of their application.

On the issue of attorneys' fees and costs, for the purposes of this motion only, Plaintiffs' are not seeking such an award. However, if Defendants appear and successfully vacate their Default, Plaintiffs reserve their right to seek an award of their reasonable attorneys' fees and costs incurred in prosecuting the entirety of this action if they are prevailing parties.

Lastly, the Court directed Plaintiffs' to serve a copy of all papers filed in connection with the damages inquest on Defendants. While Plaintiffs have already served Defendants with a copy of the underlying Motion for Default Judgment, including all accompanying papers and exhibits, Plaintiffs will serve an additional copy of the Motion papers, a copy of the Court's September 29, 2021 Inquest Order, and a copy of this correspondence to ensure Defendants are fully aware of their obligations.

Thank you for your time and attention to this matter.

Respectfully submitted,



Keith E. Williams, Esq.

**APPLICATION GRANTED: The Inquest Hearing in this matter scheduled for Wednesday, December 29, 2021 at 2:00 p.m. in Courtroom 17- D, United States Courthouse, 500 Pearl Street, New York, New York is hereby rescheduled to Thursday, January 27, 2022 at 10:00 a.m. Counsel for the parties shall be prepared to answer questions and provide testimony, as appropriate, on the damages application.**

**APPLICATION GRANTED**



**Hon. Katharine H. Parker, U.S.M.J.**

10/29/2021

cc: All Defendants via USPS mail.